

REMARKS

The Applicants appreciate the Examiner's quick and courteous final Office Action.

Claims 1-19 and 25 are present in the application.

Claims 1-22 and 25 are subject to a restriction requirement.

Claims 17 and 18 are amended. No new matter is added.

Claims 20-24 are canceled without prejudice to Applicants' right to present such claims at a later time in a continuing application.

In reviewing the claims, it was discovered that dependent claims 17 and 18 inadvertently referred to a previous "method", rather than a "tank". This language has been corrected herein. The Applicants regret any confusion these inadvertent errors may have caused.

Restriction Requirement

The Examiner has required restriction under 35 U.S.C. 121 and 372.

The Examiner contends that this application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group 1, claim(s) 1-19 and 25, drawn to a "Tank."

Group 2, claim(s) 20-22, drawn to a "Method of Refilling a Filter in a Tank."

The Examiner alleges that the inventions listed as Groups 1 and 2 do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features, for example, the method claims do not specify:

filter media supported on a permeable wall, the wall including a filter media outlet which is normally closed; and opening means for opening the filter media outlet to allow the filter media to discharge into the lower portion of the tank.

which is found in the apparatus (i.e., "tank") claims.

The Examiner advised the Applicant that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement may be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To preserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

The Applicants hereby elect **without traverse claims 1-19 and 25 of Group 1, drawn to a "Tank."** The identification of the claims encompassing the elected invention is: **claims 1-19 and 25**; all claims remaining in the application.

Claims 20-24 are canceled herein without prejudice to Applicants' right to present such claims at a later time in a continuing application.

The Applicants respectfully submit that with this election and the cancellation of the non-elected claims that the restriction requirement is overcome. Reconsideration is respectfully requested.

It is respectfully submitted that the amendments and arguments presented above overcome the restriction requirement. Reconsideration and allowance of the claims are respectfully requested. The Examiner is respectfully reminded of his continuing duty to indicate allowable subject matter. The Examiner is invited to call the Applicants' attorney at the number below for any reason, especially any reason that may help advance the prosecution.

Respectfully submitted,
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